

Atty. Dkt. No. 050251/0131

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joel Donald Gray

Title: SURGICAL DEVICE WITH
MALLEABLE SHAFT

Appl. No.: 432,523

Filing Date: 3 November 1999

<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.</p> <p><u>SUSAN M. WHITE</u> (Printed Name)</p> <p><u>Susan M. White</u> (Signature)</p> <p><u>10-03-02</u> (Date of Deposit)</p>
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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

10/09/2002 DTESSEH1 00000135 09432523

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180.00 OP

TIMING OF THE DISCLOSURE

The listed documents are being submitted after receipt of the first office action. Therefore, a check in the amount of \$180.00 is also enclosed.

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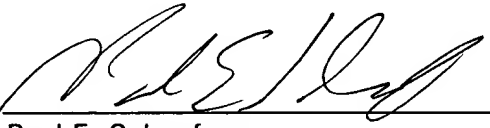
RELEVANCE OF EACH DOCUMENT

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1450.

Respectfully submitted,

Date 3 October 2002
FOLEY & LARDNER
One IBM Plaza
330 North Wabash Avenue
Suite 3300
Chicago, Illinois 60611-3608
Telephone: (312) 755-2610
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By 
Paul E. Schaafsma
Attorney for Applicant
Registration No. 32,664

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FORM PTO-1440 (Modified)
LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENT

ATTY. DOCKET NO.:

050251-0131

SERIAL NO.:

09/432,523

APPLICANT:

Gray et al.

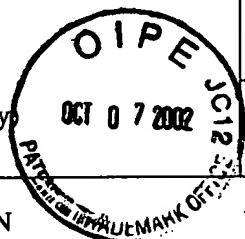
FILING DATE:

3 November 1999

GROUP:

3731

(Use several sheets if necessary)



REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,212,426	4/2001	Swanson	600	510	
	AB	6,048,339	4/2000	Zicps et al.	600	585	
	AC	5,915,183	6/1999	Stevens et al.	604	28	
	AD	5,899,914	5/1999	Zicps et al.	606	174	
	AE	5,855,590	1/1999	Malecki et al.	608	205	
	AF	5,851,212	12/1998	Zicps et al.	606	174	
	AG	5,833,692	11/1998	Cesarini et al.	606	170	
	AH	5,782,834	7/1998	Lucey et al.	604	22	
	AI	5,609,285	3/1997	Grant et al.	227	179.1	
	AJ	5,570,711	11/1996	Walsh			
	AK	5,499,997	3/1996	Sharpe et al.	606	205	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL	XP-002087016	4/1983	Soviet Union			ABST.	
	AM							
	AN							
	AO							
	AP							

OTHER

ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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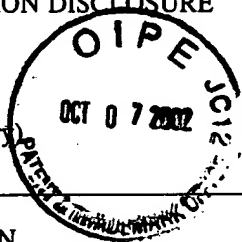
EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this formation with next communication to applicant.

FORM PTO-1440 (Modified)
LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENT

(Use several sheets if necessary)



ATTY. DOCKET NO.:

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SERIAL NO.:

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Gray et al.

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GROUP:

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REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AB	5,325,866	7/1994	Kryzyzanowski	600	564	
	AC	3,964,468	6/1976	Schulz	600	564	
	AD	3,915,169	10/1975	Grant et al.	227	179.1	
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL							
	AM							
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OTHER

ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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